IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 15477 of 2004

Between:

Gangula Polu Raju, S/o Chinamallaiah
R/o 8th Ward, Sanjeevareddy Nagar, Giddalur Post and Mandal,
Prakasam District

..... PETITIONER

AND

1 The Presiding Officer, Industrial Tribunal cum Labour

Court, Guntur, Guntur District
2 The Regional Manager, APSRTC., Prakasam Region,

Ongole, Prakasam District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus, directing the 1st respondent Labour Court to 159/2000 on its file as early as possible as per the mandatory provisions contained in Sec. 10 (A-2) read with Rule 12A(3) of the I.D. Act, 1947 and Rules framed thereunder 1958 in fulfillment of the fundamental rights guaranteed Under Art. 14, 16, 19 and 21 of the Constitution of India, in the matters of equality be pleased.

Counsel for the Petitioner: MR.S.A.K.MYNUDDIN

Counsel for the Respondent No.1: GP FOR LABOUR

Counsel for the Respondent No.2: MR. R.MANMADA REDDY (SC FOR APSRTC)

The Court at the stage of admission made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.15477 OF 2004

ORDER:

The petitioner worked as a Conductor under a Private Operator. Subsequently, the route was nationalized in the year 1986. The grievance of the petitioner is that he was not absorbed by the second respondent-Corporation at the time of taking the route of nationalization. 14 years after non-absorption of the petitioner, he approached the Labour Court, Guntur and filed I.D.No.159 of 2000. During the pendency of the said I.D., he filed an application under Section 139 CPC. The grievance of the petitioner is that the said application was not entertained and it was returned on the ground that the matter pertains to the year 2000. Therefore, he approached this Court seeking a direction to the Labour Court to dispose of the I.D. at the earliest.

2. The petitioner has the anxiety to get the matter disposed of at the earliest. His grievance is that delay is being caused in the disposal of the said matter. The petitioner mentioned in his affidavit that the delay in filing the I.D. was caused due to continuous negotiations with the second respondent-Corporation.

3. In the light of the circumstances explained by the petitioner, the first respondent is directed to give opportunity to both parties and dispose of the I.D. within four months from the date of receipt of a copy of this order, according to law.

4. The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J

31st August, 2004

SKM

Note:

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Furnish C.C. within two days.

B/o.

skm

TO

1 The Presiding Officer, Industrial Tribunal cum Labour

Court, Guntur, Guntur District

2 The Regional Manager, APSRTC., Prakasam Region,

Ongole, Prakasam District

3 Two C.Cs. to G.P. for Labour, High Court

Buildings, High Court of A.P., Hyderabad (OUT)

4 Two C.D. Copies.